

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

WP(C).No. 16212 of 2007(E)

PETITIONER:

1. D.RADHAMONI, JUNIOR LANGUAGE TEACHER(FT)
SANSKRIT, CRESCENT HIGH SCHOOL, ADAKKAKUNDU,
P.O.ADAKKAKUNDU, MALAPPURAM DISTRICT.
2. T.E.MOLY, HIGH SCHOOL ASSISTANT(HINDI),
CRESCENT HIGH SCHOOL, ADAKKAKUNDU,
P.O.ADAKKAKUNDU, MALAPPURAM DISTRICT.

BY ADV. SRI.V.RAJENDRAN
SRI.P.SAMSUDIN

RESPONDENTS:

1. DEPUTY DIRECTOR OF EDUCATION,
MALAPPURAM.
2. DISTRICT EDUCATIONAL OFFICER,
WANDOOR, MALAPPURAM DISTRICT.
3. THE HEADMASTER, CRESCENT HIGH SCHOOL,
ADAKKAKUNDU, P.O.ADAKKAKUNDU, MALAPPURAM DISTRICT.

BY GOVT.PLEADER SRI.A.J.VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 29/05/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

A.K. Basheer, J.

W.P(C) No. 16212 of 2007

Dated this the 29th day of May, 2007.

J U D G M E N T

Petitioners who are presently working as Junior Language Teacher (full-time) and High School Assistant (Hindi) respectively in an aided high school contend that they are entitled to get increment and other service benefits in terms of Exts.P1 and P2 orders passed by the Departmental Officer. It is further contended by the petitioners that in a similar situation this Court had passed Ext.P4 judgment granting such benefits to another teacher. I do not propose to deal with the above contentions at this stage, in view of the limited prayer made by the learned counsel for the petitioners at the Bar. It is submitted by him that the petitioners have preferred Exts.P5 and P6 representations before respondent No.1 highlighting all the relevant aspects. The prayer is to issue an appropriate direction to respondent No.1 to consider and pass orders on Exts.P5 and P6 without any delay.

2. Learned Government Pleader submits that if Exts.P5 and P6 have been preferred as contended by the petitioners, an appropriate decision will be taken in the matter expeditiously.

3. In the above facts and circumstances the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Exts. P5 and P6 strictly on their merit and in accordance with law as expeditiously as possible, at any rate within two months from the date of receipt of a copy of this judgment. I make it clear that I have not considered the merit of any of the contentions raised by the

petitioner. It will be open to respondent No.1 to deal with the issue strictly on its merit and in the light of the relevant rules and also the dictum laid down by this Court in Ext.P4. Needless to mention that petitioners shall be afforded sufficient opportunity to be heard before any decision is taken in the matter.

Till such time a decision is taken by respondent No.1, no recovery pursuant to Ext.P3 shall be effected.

**A.K. Basheer
Judge.**

an.